

1 **BEFORE THE ARIZONA BOARD**
2 **OF BEHAVIORAL HEALTH EXAMINERS**

3 **In the Matter of:**

4 **Cheryl S. Bolte, LISAC-10915 & LPC-**
5 **10982,**
6 **Licensed Independent Substance Abuse**
7 **Counselor & Licensed Professional**
8 **Counselor,**
9 **In the State of Arizona.**

10 **RESPONDENT**

11 **CASE NO. 2022- 0120**
12 **CONSENT AGREEMENT**
13 **FOR VOLUNTARY SURRENDER**

14 In the interest of a prompt and speedy settlement of the above captioned matter,
15 consistent with the public interest, statutory requirements and responsibilities of the Arizona
16 State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(F)
17 and 41-1092.07(F)(5), Cheryl S. Bolte ("Respondent") and the Board enter into this Consent
18 Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final
19 disposition of this matter.

20 **RECITALS**

21 Respondent understands and agrees that:

22 1. Any record prepared in this matter, all investigative materials prepared or
23 received by the Board concerning the allegations, and all related materials and exhibits may be
24 retained in the Board's file pertaining to this matter.

25 2. Respondent has the right to a formal administrative hearing at which Respondent
can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably
waives their right to such formal hearing concerning these allegations and irrevocably waives
their right to any rehearing or judicial review relating to the allegations contained in this Consent
Agreement.

1 3. Respondent has the right to consult with an attorney prior to entering into this
2 Consent Agreement.

3 4. Respondent acknowledges and agrees that upon signing this Consent
4 Agreement and returning it to the Board's Executive Director, Respondent may not revoke their
5 acceptance of this Consent Agreement or make any modifications to it. Any modification of this
6 original document is ineffective and void unless mutually approved by the parties in writing.

7 5. The findings contained in the Findings of Fact portion of this Consent Agreement
8 are conclusive evidence of the facts stated herein between only Respondent and the Board for
9 the final disposition of this matter and may be used for purposes of determining sanctions in any
10 future disciplinary matter.

11 6. This Consent Agreement is subject to the Board's approval, and will be effective
12 only when the Board accepts it. In the event the Board in its discretion does not approve this
13 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,
14 nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except
15 that Respondent agrees that should the Board reject this Consent Agreement and this case
16 proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its
17 review and discussion of this document or of any records relating thereto.

18 7. Respondent acknowledges and agrees that the acceptance of this Consent
19 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
20 other proceedings as may be appropriate now or in the future. Furthermore, and
21 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
22 preclude in any way any other state agency or officer or political subdivision of this state from
23 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
24 in the future relating to this matter or other matters concerning Respondent, including but not

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1 limited to violations of Arizona’s Consumer Fraud Act. Respondent acknowledges that, other
2 than with respect to the Board, this Consent Agreement makes no representations, implied or
3 otherwise, about the views or intended actions of any other state agency or officer or political
4 subdivision of the state relating to this matter or other matters concerning Respondent.

5 8. Respondent understands that once the Board approves and signs this Consent
6 Agreement, it is a public record that may be publicly disseminated as a formal action of the
7 Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

8 The Board issues the following Findings of Fact, Conclusions of Law and Order:

9 **FINDINGS OF FACT**

10 1. Respondent is the holder of License Nos. LISAC-10915 and LPC-10982 for the
11 practice of substance abuse counseling and counseling in the State of Arizona.

12 2. On or around 11/04/21, Respondent contacted Board staff to self-report that
13 Respondent may have a health condition that could possibly impair Respondent’s ability to
14 safely practice.

15 3. In subsequent conversations, Respondent agreed to explore entering into the
16 Impaired Professional Program.

17 4. Subsequently, Respondent and her attorney contacted the Board and offered to
18 voluntarily surrender Respondent’s license since Respondent would be retiring and no longer
19 practicing.

20 **CONCLUSIONS OF LAW**

21 1. The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 *et seq.*
22 and the rules promulgated by the Board relating to Respondent’s professional practice as a
23 licensed behavioral health professional.

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Cheryl S. Bolte
Address of Record
Respondent

Susan I. McLellan
365 East Coronado Road
Phoenix AZ 85004
Attorney for Respondent